

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/693,607  
Applicant : Brian E. Le Gette, et al.  
Filed : October 27, 2003  
TC/A.U. : 3765  
Examiner : Sutton, Andrew W.  
Confirmation No. : 6475  
Docket No. : 0100.0020C1  
Title : EAR WARMER HAVING A CURVED EAR  
PORTION

### Mail Box Amendment

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

### INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(e)

Pursuant to the duty imposed by 37 C.F.R. §1.56 to disclose information which may be material to the patentability of the above-identified patent application, the Applicants would like to direct the Examiner's attention to the documents listed on the enclosed Information Disclosure Citation Form (PTO/SB/08). In accordance with this duty of disclosure, Applicants hereby submit the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

- ☐ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- ☒ The subject Information Disclosure Statement is being filed without copies of the listed U.S. Patents and/or U.S. patent application publications pursuant to the waiver of the requirement under 37 C.F.R. §1.98(a)(2)(i) for applications filed after June 30, 2003. Copies of the listed foreign patent documents and/or non-patent literature are enclosed herewith.
- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. \_\_\_\_\_ to which the above-identified application claims priority under 35 U.S.C. §120.

- ☐ Publication(s) \_\_\_\_\_ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to \_\_\_\_\_ application serial no. \_\_\_\_\_ and mailed on \_\_\_\_\_.
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. English language publication \_\_\_\_\_ (copy enclosed) claims priority from this non-English publication.
- ☒ Enclosed is an explanation of non-English publication(s) see the enclosed Concise Explanation of Relevance document filed herewith for which an English translation is not available.
- ☐ Enclosed is a copy of pending patent Application Serial No. \_\_\_\_\_.

This Information Disclosure Statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing of:

- ☒ a final action under 37 C.F.R. § 1.113;
- ☒ a notice of allowance under 37 C.F.R. § 1.311; or
- ☒ an action that otherwise closes prosecution in this application.

In accordance with 37 C.F.R. § 1.97(c), also enclosed is:

- ☒ Fee under 37 C.F.R. § 1.17(p) in the amount of \$180.00.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Respectfully submitted by

**EDELL, SHAPIRO & FINNAN, LLC**

Dated: September 22, 2008

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